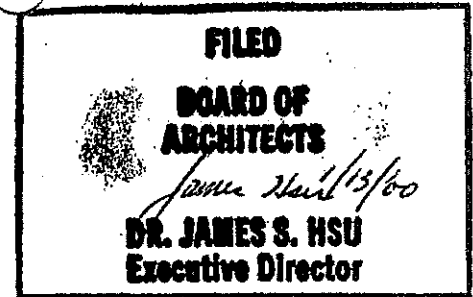


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ATTORNEY GENERAL OF NEW JERSEY
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF ARCHITECTS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

JOSEPH M. SPATARO, R.A.
LICENSE NO. A.I. 08258

TO PRACTICE ARCHITECTURE
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was originally opened to the New Jersey State Board of Architects (hereinafter the "Board") by way of Administrative Complaint filed October 27, 1998, in which the Attorney General alleged that Respondent, Joseph M. Spataro, R.A., (hereinafter "Respondent"), licensed to practice architecture in the State of New Jersey, prepared site plans for the construction of a three-story private residence in Belmar, New Jersey, that did not conform to recognized standards for the practice of architecture in this State. Additionally, the Complaint alleged certain other violations of N.J.S.A. 45:3-1 et seq. (the Architecture Licensing Act) and its accompanying regulations. Respondent filed an Answer through former counsel in which he denied all the allegations of the Complaint. Pursuant to the authority conferred upon the Board by N.J.A.C. 17:27-3.2, the matter was transmitted to the Office of Administrative Law for plenary hearing. Respondent's actions, if proven, would constitute grounds for disciplinary action by the Board under N.J.S.A. 45:1-21, and/or for the assessment of civil penalties pursuant to N.J.S.A. 45:1-22,

and for costs pursuant to N.J.S.A. 45:1-25. The parties desiring to terminate these proceedings; and the Board acknowledging that nothing herein shall constitute an admission by Respondent or a finding of fact by the Board; and further finding the within disposition adequately protects the public's health, safety and welfare; and other good cause appearing,

IT IS, therefore, on this 13th day of January, 2000,

ORDERED THAT:

1. Respondent's license to engage in the practice of architecture in the State of New Jersey is hereby suspended for a period of two years. The first three months of the suspension shall be deemed active, with the remainder stayed and served as a period of probation. During the period of this active suspension, Respondent, including his agents or employees acting on his behalf, shall not engage in any activity whatsoever requiring licensure under the Architecture Licensing Act. This prohibition shall include, but not be limited to the conduct delineated in N.J.S.A. 45:3-1.1(c), (k), and (l). Respondent shall also be prohibited from soliciting or advertising his availability to perform prohibited services.
2. Respondent is hereby reprimanded for conduct violative of the Architecture Licensing Act, N.J.S.A. 45:3-1 et seq.
3. In the event that the Board or the Attorney General is made aware of conduct by Respondent which constitutes violations of this Order or any Statue or Regulation governing the practice of architecture, Respondent shall be provided notice and opportunity to be heard before the Board, and should the Board make a finding that such violation has in fact occurred, then such finding shall result in the activation of the stayed portion of the suspension and the imposition of such other discipline as the Board deems appropriate.
4. No period of time during which Respondent engages in the practice of architecture in another jurisdiction shall count toward the period of active suspension set forth in paragraph one herein.
5. Respondent shall pay the Board's costs of investigation and penalties for the claims forming the bases of the Attorney General's Complaint in this matter, in the amount of \$9500.00 (including expert costs and transcript fees). Payment shall be by certified check or money order made payable to the New Jersey State Board of Architects and shall be made in twenty-one installments commencing with the thirtieth day of the first month of the stayed suspension at the

Court Rule rate of interest of 5.5% annually. Each payment shall be in the amount of \$488.86, with the final payment in the amount of \$195.81. The total amount due under the terms of this Order shall be \$9,973.01 including interest in the amount of \$473.01. A Certificate of Debt in the full amount of the total sums owed under the terms of this Order shall be filed upon entry of this Order by the Board and shall be discharged upon the payment of the final installment as set forth herein. Any failure to make payment of a monthly installment within 10 days of the due date shall constitute a violation of Respondent's probation, shall cause activation of the remaining period of the stayed suspension, shall result in acceleration of the remainder of the debt and shall render the entire balance due and owing.

6. Respondent shall enroll in and successfully complete six credit hours in the subject area of "structural design". The courses shall be undertaken at any institution of higher education and shall be subject to approval by the Board President prior to Respondent's enrollment. All six credit hours must be completed by the end of the probationary period established in paragraph one herein. The failure to complete the educational component of this Order shall result in the indefinite extension of the period of probation until such time as this requirement is fulfilled.

7. The first nine months of Respondent's stayed suspension and probation shall include the requirement that Respondent submit to monitoring by a Registered Architect licensed by the New Jersey State Board of Architects. Such monitoring shall be at Respondent's expense. In order to identify an appropriate monitor, within thirty days of the entry date of this Order Respondent shall provide the Board with the names and credentials of three individuals, with more than five years of professional experience in New Jersey, who would be acceptable to Respondent as a monitor. The Board shall choose the monitor from that list, reserving the right to interview any of the proposed monitors or to require Respondent to identify additional candidates. None of the monitors proposed should have a pre-existing professional or familial relationship with Respondent. The monitor, when chosen, shall be provided with the Complaint and the Answer in this matter. The monitor shall meet with Respondent at Respondent's place of business, for three hours per week or for the length of time necessary, whether more or less than three hours, to complete the monitoring function throughout the nine month period. The monitor shall review any submissions or plans prepared by Respondent together with any

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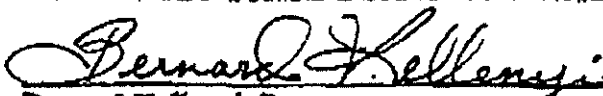
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pertinent supporting documentation and shall, on a quarterly basis, report the result of his/her monitoring to the Board with a final report at the end of the nine months. In the event that the Monitor becomes aware of conduct by Respondent that is violative of this Order or of the Statutes and Regulations governing the practice of architecture the monitor shall report such conduct to the Board's Executive Director within forty-eight hours or as soon thereafter as practicable.

2. This Order fully resolves all of the allegations of the Administrative Complaint referenced herein.

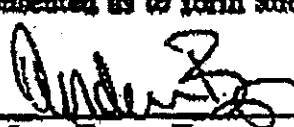
NEW JERSEY STATE BOARD OF ARCHITECTS


Bernard Kellenyi, R.A.
President

I have read and understood
the within Order and agree to be
bound by its terms. Consent is hereby
given to this Board to enter this Order.


Joseph M. Spataro, R.A.
Respondent

Consented as to form and entry:


Andrew Bayer, Esq.
DeCotis, Fitzpatrick & Gluck
Attorney for Respondent


Michael S. Rubin
Deputy Attorney General
Attorney for State Board of Architects